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March 27, 2019

By Hand & ECF

The Honorable Ronnie Abrams  
United States District Judge  
United States Courthouse  
40 Foley Square, Room 2203  
New York, New York 10007

Re: United States v. Adam Raishani  
S1 17 Cr. 421 (RA)

Dear Judge Abrams:

On behalf of defendant Adam Raishani ("defendant"), I write in brief reply to the government's sentencing memorandum (ECF No. 58).

To put it bluntly, the government's sentencing submission is both xenophobic and jingoistic. While that is not surprising given the lack of any real world experience by its author, it is dismaying to read the recommendation of a 25-year jail sentence for a young man who never carried a gun or a sword, or plotted the use of any explosives, here in the United States or anywhere else in the world. The government's screed calls for this Court to sentence Raishani for how bad ISIS is; not for how bad Raishani is. That is not appropriate.

The government also fails to comprehend that, in the eyes of history, one person's terrorist organization is another person's freedom-fighting army. Two cases in point:

1. Irgun - Between 1931 and 1948, the Irgun was a Zionist paramilitary organization dedicated to the creation of a Jewish state. It operated in the area known as Mandate Palestine and engaged in acts of war such as the bombing of the King David Hotel in Jerusalem in 1946 in which 91 people were killed, only 13 of whom were British soldiers. The United States described the Irgun as a terrorist organization. The last Commander-in-Chief of the Irgun was Menachem Begin; the first Likud Prime Minister of the State of Israel was the same Menachem Begin.

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2. Irish Republican Army - The Irish Republican Army ("IRA") is the successor organization to the Irish Republican Brotherhood ("IRB"), which was founded in 1858 for the purpose of overthrowing the British and establishing a democratic republic in Ireland, by violent means if necessary. The IRB staged Fenian uprisings in 1858 and 1916. After a long campaign of guerrilla warfare, marked by numerous assassinations of British military and political figures, in 1922 the Irish Free State (made up of 26 of Ireland's 32 counties) was formed. The very first Chairman of the Provisional Government of the Irish Free State was Michael Collins, the commander of the guerrillas who brought the British to the bargaining table. The British and the United States labeled Michael Collins a terrorist. For the last thirty years, the leaders of the IRA (in their effort to free the remaining six counties of Ulster) have been Gerry Adams and Martin McGuinness. Adams led Sinn Fein, the political arm of the IRA, while McGuinness was the commander of the military wing. The IRA has for decades been designated a Foreign Terrorist Organization by the United States government. In 1994, President Bill Clinton overruled strenuous objections from the State Department and the British government and granted Adams a forty-eight hour visa to come to New York and Washington. That rapprochement led directly to the 1998 peace accord which largely ended "The Troubles" in Northern Ireland and Ireland. Adams later became an abstentionist member of British Parliament for Northern Ireland, while McGuinness served as Deputy First Minister of Northern Ireland from 2007-2017.

I write at length about the Irgun and the IRA, not because I equate the brutally, medieval organization known as ISIS to them, but to emphasize that, to some degree, terrorism is in the eyes of the beholder. Today's terrorist may be tomorrow's statesman. In the United States, the IRA and the Irgun are far more accepted than ISIS or Hezbollah. That does not, however, hold true in the Middle East.

Finally, the government rails about the supposed war being waged by ISIS against Americans (see ECF No. 58, at 4, 12, 25), and refers to the photograph of CC-1 carrying an AK-47 (see ECF No. 58, at 6). To provide the government with some perspective on the realities of war, I enclose (appended hereto as Exhibit A) a photograph of a young American soldier holding an M-79 grenade launcher while engaged in combat operations in Quang Tri, Vietnam in September 1969. That young soldier was drafted by the United States Government to serve as an infantryman in Vietnam, in a war that lasted for more than ten years but was never declared by Congress, and was the result of a deliberate fraud (the Gulf of Tonkin resolution) created by that same Government. It was always an unjust and immoral war. More than 58,000 American soldiers died; millions of Vietnamese were killed. Those casualties dwarf the number of Americans killed by ISIS. No American official went to jail for the lies that led to Vietnam (or Iraq for that matter). But the Government wants Raishani to spend

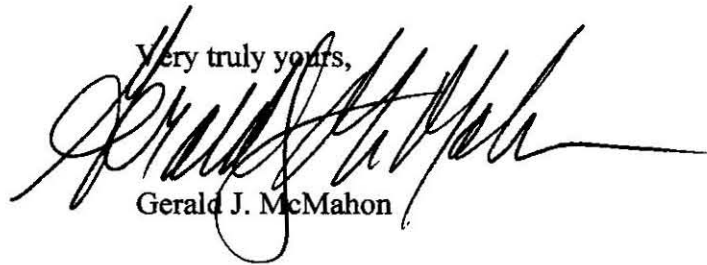
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twenty five years in jail for trying to join ISIS to provide medical services. Beyond the pale.

Finally, appended hereto as Exhibit B is a lengthy letter from The Focus Forward Project, which provides a completely different and welcome perspective on Mr. Raishani.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Gerald J. McMahon', with a long horizontal flourish extending to the right.

Gerald J. McMahon

GJM:cw  
Enclosures  
cc: Government Counsel  
(By ECF)